

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

VAN JENKINS,

Plaintiff,

CIVIL ACTION NO. 07-CV-13860-DT

vs.

DISTRICT JUDGE ARTHUR J. TARNOW

**ANN ARBOR POLICE
DEP'T, et al.,**

MAGISTRATE JUDGE MONA K. MAJZOUN

Defendants.

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**OPINION AND ORDER STRIKING PLAINTIFFS
AND STRIKING PLAINTIFF'S OBJECTION**

This matter comes before the Court *sua sponte* on two matters. This is a civil rights action in which Plaintiff is proceeding *pro se*. All pretrial matters have been referred to the undersigned for decision. (Docket no. 12).

The Court notes that the docket sheet names three Plaintiffs in addition to Plaintiff Jenkins. Plaintiff Jenkins is the only person who signed the Amended Complaint and is the only Plaintiff named in the Amended Complaint. (Docket no. 27). The three additional Plaintiffs should not have been added as Plaintiffs even though their names appear in the caption of Plaintiff's original Complaint because they did not sign that original Complaint. Fed. R. Civ. P. 11(a) (requiring unrepresented parties to sign pleadings). Accordingly, Plaintiffs Amber Boyles, Gawain Jenkins, and Patricia Anderson will be stricken as Plaintiffs.

The Court also notes that Plaintiff Jenkins filed an Objection to the Defendants' Response. (Docket no. 47). This filing is in effect a sur-Reply which is not allowed under the court rules. E.D. Mich. LR 7.1(d). The Court did not request this brief. Therefore, Plaintiff's Objection will be

stricken and will not be further considered by the Court.

IT IS THEREFORE ORDERED that Plaintiffs Amber Boyles, Gawain Jenkins, and Patricia Anderson be stricken as Plaintiffs in this action.

IT IS FURTHER ORDERED that Plaintiff's Objection (docket no. 47) is **STRICKEN** and will not be further considered by the Court.

NOTICE TO THE PARTIES

Pursuant to Fed. R. Civ. P. 72(a), the parties have a period of ten days from the date of this Order within which to file any written appeal to the District Judge as may be permissible under 28 U.S.C. 636(b)(1).

Dated: September 16, 2008

s/ Mona K. Majzoub
MONA K. MAJZOUB
UNITED STATES MAGISTRATE JUDGE

PROOF OF SERVICE

I hereby certify that a copy of this Opinion and Order was served upon Van Jenkins and Counsel of Record on this date.

Dated: September 16, 2008

s/ Lisa C. Bartlett
Courtroom Deputy